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PCT/EP2004/000171



Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002P01382WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/000171	International filing date (day/month/year) 13 January 2004 (13.01.2004)	Priority date (day/month/year) 13 January 2003 (13.01.2003)
International Patent Classification (IPC) or national classification and IPC F23N 1/00		
Applicant BSH BOSCH UND SIEMENS HAUSGERÄTE GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. (*sent to the applicant and to the International Bureau*) a total of _____ sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 04 August 2004 (04.08.2004)	Date of completion of this report 14 January 2005 (14.01.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000171

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- The international application as originally filed/furnished
 the description:

pages _____ 1-8 _____, as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

- the claims:

pages _____ 1-14 _____, as originally filed/furnished
 pages* _____ received by this Authority on _____, as amended (together with any statement) under Article 19
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

- the drawings:

pages _____ 1/4-4/4 _____, as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

- a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (specify): _____
- any table(s) related to sequence listing (specify): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (specify): _____
- any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
1. Statement		
Novelty (N)	Claims	<u>1-14</u>
		YES
Inventive step (IS)	Claims	<u>1-14</u>
		YES
Industrial applicability (IA)	Claims	<u>1-14</u>
		NO

2. Citations and explanations (Rule 70.7)

The present report makes reference to the following documents:

- D1: EP 0 818 655 A
- D2: EP 0 949 455 A
- D3: US 2002/086254 A.

Document D1 (figure 1) is considered to be the closest prior art. Said document discloses a gas cooking arrangement as per the preamble of claim 1. D1 does not disclose an auxiliary line to the controls (12, 22, 32, 42). The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

Although D2 discloses a control (20) with an auxiliary line (26), the effect of the hydraulic friction of the auxiliary line and/or the gas jet is not taken into consideration. In D3, a valve for high rates of gas flow and a valve for low rates of gas flow are arranged in parallel in the fuel feed. There is no comparison of their respective hydraulic friction with that of the gas jet. In consequence, a person skilled in the art cannot derive the claimed invention from the available prior

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

art. The subject matter of claim 1 therefore involves an inventive step (PCT Article 33(3)).

Dependent claims 2-13 relate to preferred embodiments of the gas cooking arrangement of claim 1. Claim 14 refers to a method for the production of one of the previously claimed gas cooking arrangements. Therefore, the subject matter of said claims is likewise novel (PCT Article 33(2)) and inventive (PCT Article 33(3)). The claimed invention is clearly industrially applicable.